

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**PRINCE SHALEAK GOD ALLAH,**

**Plaintiff,**

**v.**

**1:12-CV-1179  
(MAD/RFT)**

**ROBERT E. LITTLEFIELD; HELENA H. ROLAND;  
and GARY F. STIGLMEIR,**

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

PRINCE SHALEAK GOD ALLAH  
82 Grant Avenue  
Apartment 2  
Albany, New York 12206  
*Plaintiff Pro Se*

**MAE A. D'AGOSTINO, U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed on the 26<sup>th</sup> day of July, 2012. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

The Court has conducted a careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation. While no party has submitted objections thereto, the Court has reviewed plaintiff's letter dated September 21, 2012 wherein plaintiff requests permission to withdraw his claims. (Dkt. No. 6). Based upon the aforementioned,

**IT IS HEREBY**

**ORDERED** that the Report-Recommendation is hereby **REJECTED IN PART AND ADOPTED IN PART**; it is further

**ORDERED** that the portion of the Report-Recommendation is rejected insofar as it recommends dismissing plaintiff's action; it is further

**ORDERED** that the Report-Recommendation is otherwise accepted and adopted. If plaintiff wishes to proceed with this action, he must, **within thirty (30) days** from the date of this Order submit an amended complaint as set forth in the Report-Recommendation; it is further

**ORDERED**, that in the event plaintiff fails to comply with this Order, in the time frame set forth above, the Clerk of the Court shall enter judgment dismissing this action without prejudice pursuant to 28 U.S.C. § 1915(e) due to plaintiff's failure to file a complaint which states a claim upon which relief can be granted, without further Order of this Court; it is further

**ORDERED**, that upon plaintiff's full compliance with this Order, the Clerk of the Court shall return the file to the Court for further review; it is further

**ORDERED**, that the Clerk of the Court shall serve a copy of this Order upon plaintiff in accordance with the Local Rules.

**IT IS SO ORDERED.**

Dated: September 25, 2012  
Albany, New York

  
Mae A. D'Agostino  
U.S. District Judge